

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

**ALICE HILL, on Behalf of DAVID HILL,
Deceased,**

PLAINTIFF,

VS.

CIVIL ACTION NO. 3:03CV60-P-D

KOPPERS, INC. and BEAZER EAST, INC.,

DEFENDANTS.

PARTIAL FINAL JUDGMENT

In accordance with a Memorandum Opinion issued this day, **IT IS ORDERED AND ADJUDGED** that:

(1) The plaintiff's December 18, 2009 motion [1341] to alter, amend, and/or clarify the court's December 11, 2009 order is **DENIED**;

(2) The plaintiff's December 29, 2009 motion [1353] to stay and/or continue trial is **DENIED**;

(3) The defendants' September 14, 2009 motion for summary judgment [1275] as it relates to the remaining trespass and nuisance claims is **GRANTED**; accordingly,

(4) The remaining claims of Alice Hill are **DISMISSED WITH PREJUDICE**.

SO ORDERED this the 20th day of January, A.D., 2010.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE